



**November 27, 2013**

TO: NQF Board of Directors  
FROM: Consensus Task Force  
RE: Proposal for Board Consideration

The Board will be asked to consider the final proposal from the Consensus Task Force to establish clear guidance and processes for measures that fail to reach consensus.

### **Background**

In August 2012, the NQF Board Executive Committee approved a task force charged with:

- Reviewing different approaches to establishing consensus;
- Identifying the strengths and weaknesses of the current process; and,
- Recommending enhancements to the current process.

Members of the Consensus Task Force include Board, CSAC and at-large members:

- Larry Becker (co-chair)
- Frank Opelka (co-chair)
- William Conway
- Ann Monroe
- Rita Nunley Gallagher
- Sam Nussbaum
- Gerry Shea

The Consensus Task Force has focused on improvement efforts to achieve a more transparent and efficient consensus development process (CDP). Identifying several high priority topic areas, the task force, CSAC, and NQF staff used LEAN principles and worked to define specific problems and developed solutions to implement. The Task Force recommendations for achieving a more efficient process have been accelerated through the Kaizen and pilots of recommended changes will be monitored over time. The slide presentation shared with the Consensus Task Force on the current pilots and early successes is attached.

The Consensus Task Force met on November 26th to finalize their recommendations to the Board of Directors. The Task Force recommended modifications to the process to better achieve consensus,

which will be tested in upcoming CDP projects to ensure results address the Task Force's intended goal of establishing when consensus has been reached and developing a process for additional deliberation.

The recommended modifications include:

- Establishing when consensus has been reached and establishing thresholds for approval of measures within the current CDP process
- Developing a process for additional deliberation when it is unclear whether consensus has been reached

They expressed support for greater clarification of a "grey zone" when lack of consensus would trigger a more deliberative process of stakeholder input.

### **Proposal for Establishing Consensus**

To address the need to define and achieve consensus within NQF's consensus development process, the Consensus Task Force defined when consensus had not been reached (the "gray area" where it is unclear), and then outlined a process for building consensus when it has not been reached. The proposal recommended by the Consensus Task Force is below.

### **Steering Committee**

- The Steering Committee has not reached consensus if the vote margin on any major criterion or overall is between 40-60 percent.
  - Resolved by putting all measures out for comment and having the Steering Committee re-vote on measures where consensus was not reached after consideration of the comments.
  - If the Steering Committee vote remains between 40-60 percent, the measure will move forward for NQF member voting. In the current state, only measures approved by the Steering Committee are put out for member voting.

### **NQF Membership**

- The membership has not reached consensus if the average council vote margin is between 40-60 percent.
  - Resolved by having council chairs represent stakeholder perspectives to the CSAC with the CSAC as the arbiter of endorsement.
  - Re-assessment of stakeholder perspective will take place.

### **Consensus Standards Approval Committee**

- The CSAC has not reached consensus if the vote margin to endorse a measure is between 40-60 percent.
  - CSAC asks council chairs to represent stakeholder perspectives to the CSAC and re-votes.
  - If after this the CSAC still has not reached consensus, the measure will not be endorsed.

## Consensus Building Process

As mentioned above, the consensus building process entails use of the council structure to gain additional input on the stakeholder perspectives regarding the measure.

When triggered by the NQF membership voting results or the CSAC voting results detailed above, the NQF council chairs will be requested to seek input from their council members, via a conference call or over email. The council chairs or a designate will then represent the council perspective on the measure and the path forward with respect to endorsement as part of a discussion with the CSAC. The Consensus Task Force also suggested that NQF explore qualitative or more quantitative options to reassess stakeholder consensus following the consultation with the member council presentations.

This consensus building process was piloted during the NQF Cost and Resource Use project, which encountered the situation described by the consensus building proposal while the proposal was under Consensus Task Force review (Appendix A).

In response to concerns raised by the Consensus Task Force about the burden associated with this process, NQF staff conducted a retrospective analysis of all endorsement maintenance projects from 2012 to understand the frequency with which this additional consensus building process would occur. Sixteen projects were conducted in 2012, with 430 total measures reviewed. Of those 430 measures reviewed, 301 were endorsed. For the measures initially not recommended by the Steering Committee, 5 measures (1.2% of measures reviewed) had a vote margin between 40-60% on any one criterion or the overall criteria and thus, under the new process, would have been put out for NQF membership vote. Of the measures that were put out for vote, 4 measures (1% of measures reviewed) had an average council vote margin between 40-60% and thus, under the new process, would have been resolved by having the council chairs represent stakeholder perspectives to the CSAC as the arbiter of endorsement. With increased stakes associated with performance measurement, the Consensus Task Force acknowledged that the number of measures without clear consensus that would require consensus building may increase.

## **Appendix: Case Study: Cost and Resource Use Pilot**

While this proposal has been under Consensus Task Force review, the 2013 Cost and Resource Use project encountered the situation described by the consensus building proposal. Information on the Resource Use project and process for consensus building is described below.

The NQF convened Cost and Resource Use Steering Committee reviewed two non-condition-specific cost/resource use measures. Of the two measures, the Committee recommended (17-8) one of the measures for endorsement, #2158-Medicare Spending per Beneficiary Measure (MSBP). Following a public comment period on the measures, the recommended measure was put out for membership vote. Member voting did not reveal clear consensus with 43% of councils approving the measure. Representatives of 42 member organizations voted with no votes received from the Public/Community Health Agency Council.

At its October 8<sup>th</sup> conference call, the CSAC reviewed the recommendations from the Cost and Resource Use project, including the Steering Committee deliberations, public and member comments, and member voting results. Due to the lack of consensus noted among the councils represented in the voting results, the CSAC requested input from the NQF member councils to gain a better understanding of the perspective of the NQF membership and determine whether consensus among the councils can be reached before making an endorsement recommendation.

The NQF member council chairs were provided with [this memo from the CSAC chairs](#) regarding the project. Each council gathered input from their constituents throughout the month of October and presented their perspective to the CSAC to further inform their decision.

At their in-person meeting on November 6, CMS, Acumen, and the council chairs provided input to the CSAC on the measure. Representatives from both CMS and the measure developer, Acumen, were present at the meeting to clarify several committee and CSAC concerns as well as address questions from the CSAC and Council representatives. At the meeting, Acumen was able to clarify the use of MSPB in conjunction with quality measures and provide a response to concerns that costs captured are largely driven by post-acute services. Acumen was also able to clarify the risk-adjustment model, and the exclusions of deaths and transfers.

After considering the input from the NQF member councils, in addition to the Steering Committee recommendation, public and member comment, and NQF member voting, the CSAC decided to proceed with a vote on the measure. The CSAC voted to endorse measure #2158 Medicare Spending per Beneficiary by a vote of 10-yes; 3-no. The CSAC was very appreciative of the council input through the process, stating that having the opportunity to discuss the issues was extremely valuable for their decision-making process.